

Section V: Human Resources
Title: Safety and Benefits
Chapter: Establishment Of The Safety And Health Program
Current Effective Date: 9/21/16
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Purpose:

It is the statutory responsibility of each employer in North Carolina to provide a safe and healthful workplace for employees, free of recognized hazards which are likely to cause death or serious injury, property and equipment damage, and to comply with the requirements of applicable safety and health laws, regulations, codes and standards. It is the statutory responsibility of each Department of State Government to establish and maintain a comprehensive written safety and health program to achieve the above goal.

The purpose of this policy is to establish the Department's Safety and Health Program to meet the above statutory responsibilities and to integrate the Program with the mission, goals and practices of the Department of Health and Human Services (DHHS).

Policy:

The DHHS shall have an operational Safety and Health Workplace Program designed to protect its employees and clients from work-related injuries and illnesses, and state owned and leased property and equipment from damage.

The mission of the Safety and Health Program is:

1. To provide each DHHS employee with conditions of employment and, where within the control of DHHS, a place of employment free of recognized hazards that could cause injury or occupational illness.
2. To ensure that DHHS provides each employee with the tools, equipment, knowledge and training to perform his/her duties in a manner free of recognized hazards that could cause injury or occupational illness, or property or equipment damage.
3. To plan for and test plans of actions to address reasonably anticipated emergency conditions.
4. To ensure that the department and its divisions/facilities/schools comply with all applicable safety and health laws, regulations, standards, codes and policies, and with the requirements of the Office of State Human Resources Workplace Requirements Program Manual for Safety and Health.

5. To prevent recurrence of actual occupational injuries, illnesses and similar events through investigation, research, and corrective action.

The Safety and Health Program is defined by Safety and Health policies and implemented through Safety and Health Procedures, customized as necessary to meet the needs of the individual division/facility/school.

Definitions:

The definitions provided below appear throughout all Safety and Health policies and procedures, unless specifically defined within a given policy. Other terms specific to a particular policy shall be defined within that policy.

Regulations - Laws, regulations, codes, standards, and policies which govern safety and health in the workplace. Regulations include, but are not limited to:

1. **ANSI** – Standards of the American National Standards Institute. ANSI standards are only regulations where incorporated by reference by federal or state statutes or regulations promulgated from such statutes.
2. **CFR** – Code of Federal Regulations. Regulations promulgated from United States statutes.
3. **NCGS** – North Carolina General Statutes. Laws passed by the North Carolina General Assembly.
4. **NCSBC** – North Carolina State Building Code. Regulations issued by the North Carolina Building Code Council.
5. **NFPA** – Codes and standards of the National Fire Protection Association. NFPA are only regulations if incorporated by reference into a federal or state law or regulations promulgated from such laws.
6. **OSHA** – Standards promulgated under the Occupational Safety and Health Act of North Carolina for general industry and construction.
7. **Workers' Compensation** – North Carolina Workers Compensation Act (NCGS Chapter 97).
8. **Workplace Requirements** – North Carolina State Employees' Workplace Requirements Program Manual for Safety and Health, the state's model program for safety and health prepared by the Office of State Human Resources.

DHHS Definitions:

1. **Organizational Entities:**
 - A. **DHHS** – North Carolina Department of Health and Human Services.

- B. **Division/Facility/School** – Any self-sufficient organizational entity within the department whose routine work activities and work environment are substantially unique from other organizational units within the department.
 - C. **Section** – Any organizational entity within a Division/Facility/School.
 - D. Other terms for organizational entities within the department are used with their normal meaning
2. **Building** – The portions of a single structure which: (1) is/are owned, operated, and/or controlled by the department and (2) houses DHHS employees.
 3. **Staff:** (All definitions for individuals shall automatically include any person designated by that individual to perform the requirements of the policy or procedure.)
 - A. **Employee** – Any person employed by the DHHS or any of its divisions/facilities/schools, including full-time, part-time, temporary, probationary, permanent, time-limited, contractual, subject to the State Personnel Act, Exempt from the State Personnel Act, or any combination.
 - B. **Supervisor** – Any employee who has personnel authority over one (1) or more employees, regardless of position title.
 - C. **Director** – The highest ranking employee of a division/facility/school.
 - D. **Senior Management** – Employees answering directly to the secretary who have authority over multiple divisions/facilities/schools and/or who do not fall under any established division/facilities/schools.
 - E. **Secretary** – The Secretary of the North Carolina DHHS.
 - F. **Management** – A generic term for the employees in supervisory authority over other employees or organizational units within the department.
 - G. **Safety Programs Manager** – The employee designated by the Director of Human Resources to develop and oversee the Safety and Health Program.
 - H. **Facility/School Safety Officer** – The employee designated by a division/facility/school director to develop, implement, and carry out the responsibilities of the Safety and Health Program for the division/facility/school.
 - I. **Safety Representative** – The employee designated by a DHHS Division to carry out the responsibilities of the Safety and Health Program for that division.

- J. **Authorized employee** – An employee designated by a policy or procedure to perform actions defined by that policy/procedure.

Employee Safety and Health Program Definitions:

1. **Central Committee, Central Safety and Health Committee** – The safety and health committee responsible for addressing the Safety and Health Program as a whole and to oversee the implementation of the program throughout DHHS.
2. **Division/Facility/School Safety Committee** – the safety committee is responsible for addressing and overseeing the implementation of the safety and health program within a division/facility/school.
3. **Program, Safety Program** – The DHHS Safety and Health Program.
4. **Safety Manual** – All policies, general procedures, division/facility/school procedures, section work plans, and required regulatory programs taken together as a complete document, regardless of the physical form of those documents.

Other Definitions:

1. **May** – Indicates an optional procedure or practice.
2. **Shall, Must** – Indicates a mandatory policy, procedure, or practice.
3. **Should** – Indicates a recommended procedure or practice.
4. **Affected** – The individual(s) toward whom a policy or procedure is addressed.
5. **Readily Available** – Accessible within one (1) hour or less without need to make the desire to access known to any member of management.
6. **Reasonable Anticipation, Reasonably Anticipated** – a determination, based on previous experience and/or knowledge, that an event or condition has a probability of occurring that is greater than mere chance.

Implementation:

The Safety and Health Program shall be implemented as follows:

1. **The Director of the Human Resources Division** has overall responsibility for the Department's Safety and Health Program and designates a Department Safety Program Manager to develop, implement and maintain the program.

2. **The Department Safety Programs Manager** has the responsibility and authority to:
 - A. Develop policies and procedures to meet, at a minimum, regulatory requirements.
 - B. Establish program direction, short-term goals and accident/cost reduction strategies.
 - C. The appointment of a Safety Officer to develop, implement and monitor the division/facility/school compliance efforts.
 - D. Provide technical assistance and consultation to divisions/facilities/schools.
 - E. Monitor Program implementation and effectiveness within divisions/facilities/schools.
 - F. Provide staff training and education.
 - G. Select and authorize a DHHS Safety and Health Committee to review policy and general procedures, formulate implementation strategies and oversee the implementation of the Safety and Health Program.

3. **Divisions/Facilities/Schools establishes and implement written policies/procedures** for safety and health that shall meet, at a minimum, the department's safety policies and guidelines, the State's Workplace Requirements Program for Safety and Health and federal/state safety related laws, regulations, codes and standards.

4. **Each Division/Facility/School Director ensures:**
 - A. Compliance with the Department's Safety and Health Workplace Program.
 - B. Fiscal management of Workers' Compensation claims.
 - C. The appropriate address of accident prevention issues with agency managers, supervisors, and employees.
 - D. The appointment of a Safety Director to develop, implement and monitor the division/facility/school compliance efforts.
 - E. The appointment and authorization of a safety and health committee to review division/facility/school procedures, formulate implementation strategies, perform inspections and audits and oversee the implementation of the Safety and Health Program within the division/facility/school.

5. **The Division/Facility/School Safety Officer** has the responsibility and authority established by the North Carolina Workplace Requirements Program for Safety and Health to ensure agency compliance with federal and state laws, regulations, codes and standards, and shall work with the DHHS Safety Programs Manager in establishing policy intent, understanding, guidelines, implementation and compliance.
6. **Division/Facility/School Managers and Supervisors shall:**
 - A. Take necessary actions to provide safe working conditions for each employee.
 - B. Incorporate the requirements of Safety and Health policies and procedures into the mission, practices and everyday work activities of their work unit.
 - C. Ensure that employees under their supervision comply with the requirements of Safety and Health policy and procedures.
 - D. Assign employees as necessary to fulfill the roles defined and required by Safety and Health policies and procedures, and provide these employees the necessary time, resources and support to perform these duties.
 - E. Encourage and assist employees under their supervision with efforts to advance, promote and/or maintain the Safety and Health Program.
 - F. Report and investigate workplace accidents in a timely manner.
 - G. Take the actions necessary to correct any identified safety deficiencies, within the timeframe provided.
7. **Employees shall:**
 - A. Conduct their work activities in a safe manner to protect their self, fellow employees, clients/patients/residents, and the general public
 - B. Comply with appropriate Safety and Health policy, procedures and work rules.
 - C. Make recommendations where appropriate to improve safety and health in the workplace.
 - D. Notify their supervisor or the Safety Officer when a potential workplace hazard is identified.
 - E. Immediately notify their supervisor of any workplace accident or adverse event.
8. **Employees may make suggestions** for program improvement and/or report safety and health deficiencies, unsafe conditions, or unsafe practices directly to management, the safety committee, the Safety Director or the Safety Program Manager, with no resulting intimidation, retaliation or discrimination by any member of management.
9. **Each division/facility/school shall develop specific operating procedures to implement this policy.** These procedures shall contain, at a minimum:

- A. The processes by which division/facility/school procedures for Safety and Health policies will be created, approved, reviewed and amended.
- B. The process by which employees and supervisors will receive education on the requirements of new and amended department policies and division/facility/school procedures.
- C. The means the division/facility/school will enact to make the Safety and Health policies, division/facility/school procedures, and other relevant documentation readily available to all division/facility/school employees.
- D. The process by which employees can make suggestions, reports and complaints to the division/facility/school safety and health committee and to the Safety Director.

References:

1. North Carolina General Statutes 95: Occupational Safety and Health Act of North Carolina
2. North Carolina General Statutes 143, Article 63: Workplace Requirements Program for Safety and Health
3. North Carolina Administrative Code 13 NCAC 1N: State Employees Workplace Requirements Program for Safety and Health

For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).